

272



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Thomas **BEHR** et al.

Appln. No.: **10/573,273**

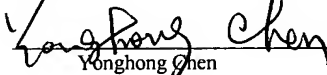
Filed: **March 23, 2006**

For: **CRANKSHAFT COMPRISING A COMBINED GEAR WHEEL AND METHOD  
FOR THE PRODUCTION AND USE OF SAID CRANKSHAFT**

Attorney Docket No.: **3926.245**

Customer No.: **30448**

CERTIFICATE UNDER 37 CFR 1.8(a)  
I hereby certify that this correspondence is being deposited either  
by facsimile to 571-273-8300 or with the U.S. Postal Service as  
First Class mail in an envelope addressed to Mail Stop  
Amendment, Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450 on August 1, 2006.

 , Reg. No. 56,150  
Yonghong Chen

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.97 and §1.98**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the following documents for the above-identified application. Copies of the non-US documents set forth below and listed on the attached Forms PTO/SB/08A and PTO/SB/08B, copy of the International Search Report (ISR) and a German Office action dated July 20, 2004 issued in the corresponding applications are provided herewith.

1. PUTATUNDA S K: "Development of austempered ductile cast iron (ADI) with simultaneous high yield strength and fracture toughness by a novel two-step austempering process," Materials Science & Engineering, 2001, pages 70-80, Vol. A315, Lausanne, CH (in English)
2. WO 00/47362 A1 (in English)
3. KOVACS SR B V: "Development of austempered ductile iron (ADI) for automobile crankshafts," Journal of Heat Treating, 1987, pages 55-60, Vol. 5, No. 1, Springer-Verlag, New York (in English)
4. EP 0 968 868 A1 (in English)
5. English abstract of JP 59 129730 A
6. US 6,258,180 B1
7. DE 93 07 468 U1 (has English-language equivalent application US 5,573,580)
8. RÖHRIG K: "ADI - Eigenschaften, Bauteilentwicklung und Anwendungen," Giesserei-Praxis, 2002, pages 289-297, Germany
9. KOVACS B V: "Gefüge und Bezeichnungen von bainitischen Gußeisen mit Kugelgraphit (ADI)," Giesserei-Praxis, 1996, pages 32-36, Germany
10. HORNUNG ET AL.: "Produktentwicklung von gegossenen Kraftfahrzeug-Bauteilen," VDI-Zeitschrift, 1987, pages 97-105, Vol. 129, No. 2, Germany

Documents 1-6 were cited in the ISR. Documents 7-10 were cited in the German Office action dated July 20, 2004. No English translation is available for documents 8-10. Documents 7-10 were cited in the German Office action dated July 20, 2004 as additional references disclosing different cast iron (axle, gearwheel) and for the gearwheel the endurance strength rising surface is treated through radiation; thus, ADI according to the prior art is carbide free in its basic structure.

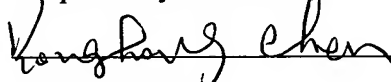
The present Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits, therefore no Certification Under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Forms PTO/SB/08A and PTO/SB/08B be returned in accordance with MPEP §609.

**Date: August 1, 2006**

Respectfully submitted



Yonghong Chen

Registration No. 56,150

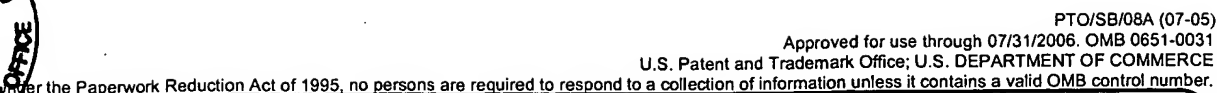
Customer No. 30448

Akerman Senterfitt

222 Lakeview Avenue, Suite 400

West Palm Beach, FL 33401

Phone: 561-653-5000



## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

**Complete if Known**

Application Number	10/573,273
Filing Date	March 23, 2006
First Named Inventor	Thomas BEHR
Art Unit	
Examiner Name	
Attorney Docket Number	3926.245

Sheet	1	of	1
-------	---	----	---

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		WO 00/47362 A1	08-17-2000	UNITED ENGINEERING FORGINGS LIMITED		
		EP 0 968 868 A1	01-05-2000	Bramcote Limited		
		JP 59 129730 A	07-26-1984	TOYOTA JIDOSHA KK		
		DE 93 07 468 U1	11-10-1994	Huettenes-Albertus Chemische Werke GmbH		

Date  
Considered

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08B (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	10/573,273
		Filing Date	March 23, 2006
		First Named Inventor	Thomas BEHR
		Art Unit	
		Examiner Name	
Sheet 1	of 1	Attorney Docket Number	3926.245

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		PUTATUNDA S K: "Development of austempered ductile cast iron (ADI) with simultaneous high yield strength and fracture toughness by a novel two-step austempering process," Materials Science & Engineering, 2001, pages 70-80, Vol. A315, Lausanne, CH	
		KOVACS SR B V: "Development of austempered ductile iron (ADI) for automobile crankshafts," Journal of Heat Treating, 1987, pages 55-60, Vol. 5, No. 1, Springer-Verlag, New York	
		RÖHRIG K: "ADI - Eigenschaften, Bauteilentwicklung und Anwendungen," Giesserei-Praxis, 2002, pages 289-297, Germany	
		KOVACS B V: "Gefüge und Bezeichnungen von bainitischen Gußeisen mit Kugelgraphit (ADI)," Giesserei-Praxis, 1996, pages 32-36, Germany	
		HORNUNG ET AL.: "Produktentwicklung von gegossenen Kraftfahrzeug-Bauteilen," VDI-Zeitschrift, 1987, pages 97-105, Vol. 129, No. 2, Germany	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.